

CITY OF CALEDONIA, MINNESOTA

ORDINANCE NO. 2020-01

**AN ORDINANCE REPEALING AND REPLACING CITY CODE SECTION 74.03
REGULATING THE OPERATION OF MOTORIZED GOLF CARTS IN THE CITY OF
CALEDONIA**

THE CALEDONIA CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. City Code Section 74.03, entitled “Motorized Golf Carts”, is repealed in its entirety.

Section 2. A new City Code Section 74.03, entitled “Motorized Golf Carts,” is adopted as follows:

§ 74.03. MOTORIZED GOLF CARTS.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) **Motorized Golf Cart or Golf Cart.** A self-propelled vehicle with three or four wheels, utilized primarily for light terrain and slow moving operation, and designed to normally provide transportation on a golf course. This definition specifically excludes vehicles defined as “Recreational Motorized Vehicles” under Caledonia City Code Section 74.10.

(B) *Permit required.* No motorized golf cart shall be driven, operated or controlled on streets, alleys, sidewalks or other public property unless the driver or operator has in his or her actual physical possession a valid, current and unrevoked permit from the City of Caledonia for driving or operating a motorized golf cart.

(C) *Permit issuance.* Permits shall be issued by the Caledonia Police Department and shall comply with the following:

(1) A permit may be issued to a person currently holding a valid driver’s license to operate a motor vehicle. No person whose license is revoked, suspended, canceled or withdrawn may be issued an individual permit. Any restrictions on the use of a motor vehicle driver’s license shall apply to the permit provided for under this ordinance.

(2) A permit application must be accompanied by proof that the vehicle is covered by insurance, complying with the insurance provisions for motorcycles in M.S. § 65B.48, subd. 5, as it may be amended from time to time.

(3) Permits shall be effective from January 1 to December 31 of the year of their issuance. Permits shall be renewed on an annual basis, with verification of the accuracy of the information provided on the initial application.

(4) Permits will be issued in the form of a placard or a sticker. The placard or sticker must be displayed in a visible location on the golf cart at all times during its operation on City streets.

(D) *Permit fees.* The permit fee for a motorized golf cart shall be set by City Council resolution.

(E) *Operator requirements.* The following requirements apply to any person who operates a motorized golf cart in the City.

(1) The person must be at least 16 years old.

(2) Every motorized golf cart operator shall have proof of insurance in possession while operating the motorized golf cart on designated streets and shall produce such proof of insurance on demand of a police officer as specified in Minnesota Statute § 169.791.

(F) *Vehicle requirements.* All vehicles permitted to be operated pursuant to this section shall be equipped with the following:

(1) A slow-moving vehicle emblem pursuant to M.S. § 169.522, as it may be amended from time to time.

(2) Brakes adequate to control the movement of and to stop and hold the vehicle under any condition of operation.

(G) *Time and conditions for operation.* Motorized golf carts may only be operated on designated roadways from sunrise to sunset. Such operation shall not be permissible in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions impeding visibility or at any time when there is insufficient light to clearly see persons and vehicles at a distance of 500 feet on the designated roadway.

(H) *Designated roadways.* A motorized golf cart may be operated pursuant to permit under this section on any City streets, except as prohibited herein or by resolution of the City Council.

(I) *Prohibited roadways.* A motorized golf cart may not be operated pursuant to permit under this section on the following streets in the City of Caledonia, except for when crossing at an intersection:

(1) Main Street

(2) Kingston Street

(3) S. Winnebago Street

(4) E. Adams Street

(J) *Unlawful acts.* Every person operating a motorized golf cart pursuant to a permit on designated roadways has all the rights and duties applicable to a driver of any other vehicle pursuant to the state highway traffic laws and regulations except when those provisions cannot reasonably be applied to motorized golf carts. In addition, no motorized golf cart shall be driven, operated or controlled as follows:

(1) In a careless, reckless or negligent manner to endanger the person or property of another or cause injury or damage thereon.

(2) Contrary to any traffic law of the City of Caledonia or provisions of the City Code.

(3) With no more passengers than there are seats. All passengers shall sit on the seats provided, with no infants or young children riding on laps.

(3) Upon the private property of another without the express written consent of such other person.

(4) Upon any sidewalk, path, trailway, or other pedestrian walkway within the City.

(5) While towing a sled, toboggan, wagon, trailer or other object.

(K) *Permit revocation.* A permit may be revoked at any time in any of the following circumstances:

(1) There is a misrepresentation in the permit application.

(2) There is a loss of liability insurance covering the permit holder's motorized golf cart.

(3) The permit holder commits any unlawful acts set forth in this section or any other unlawful acts committed while operating a motorized golf cart permitted by this section.

(4) In the event a motorized golf cart that is owned by a permit holder under this section and is driven by an operator not meeting the requirements of Section 74.03(E)(1) through (3). This basis for revocation expressly includes family members of permit holders who cohabitate with permit holders, such as the permit holder's minor children.

(5) The permit holder operates a motorized golf cart in a careless or negligent manner, or in a manner that endangers person or property.

(6) The permit holder violates any other requirement of Section 74.03 that is not referenced in paragraphs (1) through (5) above.

(L) *Permit Revocation Procedures.* A permit may be revoked at any time by the City Administrator or his or her designee if any of the conditions in Section 74.03(K)(1)-(6) are met.

The City Administrator shall send written notice to the permit holder by certified mail to the address listed on the permit application. The permit holder shall have seven (7) days from the date on the notice to appeal the decision of the City Administrator. An appeal must be made in writing to the City Administrator or the person issuing the revocation notice. If an appeal is filed, the City Council shall hear the appeal at the next regular City Council meeting, or as soon as possible after the appeal is filed. The City Council shall consider any relevant evidence presented by City staff or the permit holder and shall determine if the revocation shall be upheld or overturned. If a permit is revoked under this section, the permittee may not reapply for one calendar year from the date of the revocation notice or City Council determination to uphold a permit revocation. When determining whether or not to grant a subsequent permit, the City may consider the basis for any prior suspension of a permit under this section.

(M) *Speed limit.* The speed limit for all golf carts is set at 15 mph in the City limits.

(N) *Penalty.* Any person violating any of the provisions of this section shall be guilty of a misdemeanor and punished as provided in § 10.99.

Section 3. This ordinance shall become effective upon its passage and publication.

ADOPTED this ____ day of _____, 2020, by the City Council of the City of Caledonia.

DeWayne “Tank” Schroeder, Mayor

ATTEST:

Adam G. Swann, City Clerk/Administrator

CERTIFICATION

I, Adam Swann, clerk/administrator of the City of Caledonia, Houston County, Minnesota, do hereby certify that the foregoing Ordinance No. 2020-01 was duly passed and approved by the Council of the City of Caledonia, Minnesota on the ____ day of _____, 2020; and said Ordinance No. 2020-01 was published in the *Caledonia Argus*, a newspaper of general circulation in the City of Caledonia, Minnesota on the ____ day of _____, 2020, all as provided by law.

Dated this ____ day of _____, 2020.

City Clerk/Administrator